

R E M A R K S

Entry of this Amendment and reconsideration of this application as amended are respectfully requested.

Claims 1, 2, 4-10, 26, 27, 83-95, 97-99, 103-133 and new claims 137-139 are pending in this application, claims 3, 11-25, 28-82, 96, 100-102 and 134-136 having been canceled. Claims 1, 4-7, 26, 86, 97, 103-106, 110, 111, 114, 118, 119, 122-124 and 128-131 are amended and the changes to the claims do not relate to patentability. Further, the changes to claims do not raise a new issue and therefore, this amendment should be entered.

There are no prior art rejections of claims 89 and 96 but they have not been indicated as being allowable. Clarification of the status of claims 89 and 96 is respectfully requested in the next communication.

STATEMENT OF SUBSTANCE OF INTERVIEW

The courtesies extended by Examiner Araj in the telephonic interview conducted on August 21, 2007 are gratefully appreciated. In the interview, the content of the pending claims was discussed and in particular, reasons why features of dependent claim 3, and related dependent claims, are not disclosed in the prior art of record. An amendment to claim 3 to clarify the intended features of the claim to emphasize a

difference of the claimed invention over the cited prior art was discussed.

CLAIM REJECTIONS

Claims 1-6, 78-88, 97-103, 105-120, 122-130 and 132-136 were rejected as being anticipated by or unpatentable over Lawes (USP 5,454,813). Claims 7-11, 26-28 and 90-95 were rejected as being anticipated by Bramlet et al (USP 6,648,889). Claims 3, 11, 28, 78-82, 100-102 and 134-136 have been cancelled and therefore the rejections of these claims have been rendered moot.

The Examiner's rejections of the remaining pending claims are respectfully traversed because Lawes and Bramlet do not disclose, teach or suggest the present claimed invention.

Independent claim 1 is amended to include the subject matter of claim 3, and clarified to recite that it is the depressible male coupling element which is configured to engage the female coupling element so as to prevent the rotational and longitudinal movement between the sleeve and the nail.

Independent claims 7 and 26 are similarly amended and now recite that the locking mechanism comprises a depressible male coupling element which is configured to engage a female coupling element located on a surface around the respective hole so as to prevent the rotational and longitudinal movement between the

sleeve and the nail when the sleeve is inserted in the respective hole in the nail.

Independent claim 97 is also similarly amended and now recites that the locking means comprise a depressible male coupling element formed on each sleeve and which is configured to engage a female coupling element so as to prevent the rotational and longitudinal movement between the sleeve and the nail.

Independent claim 114 is also similarly amended and now recites that the first part of the locking arrangement comprises a depressible male coupling element, the second part of the locking arrangement comprises a female coupling element located on a surface around the hole, and wherein the depressible male coupling element is configured to engage the female coupling element so as to prevent the rotational and longitudinal movement between the sleeve and the nail.

Independent claim 124 is also similarly amended and now recites that the locking mechanism comprises a depressible male coupling element which is configured to engage a female coupling element located on a surface around the hole so as to prevent the rotational and longitudinal movement between the sleeve and the nail.

Accordingly, all of the claimed embodiments now include the feature of a depressible male coupling element which is configured to engage a female coupling element located on a

surface around the hole to prevent rotational and longitudinal movement between the sleeve and the nail. It is respectfully submitted that the changes to the independent claims to include this feature does not raise a new issue because the feature of a depressible male coupling element was set forth in claims already considered by the Examiner, for example, claims 3, 86, 87, 102, 103, 110, 111, 119, 120, 128.

In the present claimed invention, the sleeve 50 includes a locking mechanism 51 which has a tab 52 on a depressible male coupling element, i.e., depressible tongue 54 (see Fig. 3). The tab 52 engages or cooperates with a notch 72 in the portion of the nail 32 around the sleeve 50 (shown in Fig. 2B) when the sleeve 50 is inserted into the hole 36 in the nail 32. Thus, the locking mechanism engages with the nail at a portion around the hole in the nail and this engagement prevents rotational and longitudinal movement between the sleeve and the nail.

Lawes does not disclose a depressible male coupling element or tongue on the sleeve. The Examiner referred to element 13 in Lawes but element 13 designates ridges formed on the outer surface of the sleeve 12 which cannot be depressed, i.e., pushed inward toward an axis of the sleeve.

Lawes also does not disclose, teach or suggest a sleeve having a locking mechanism which engages or cooperates with a portion of the nail around the hole into which the sleeve is

inserted in order to prevent rotational and longitudinal movement between the sleeve and the nail.

In the Office Action, the Examiner states that the "notches prevent the rotation of the sleeve and the shoulder prevents further longitudinal movement into the hole in the nail" (page 7). The notches in the Lawes device are designated 13a while the shoulder is designated 16. When the sleeve 12 is inserted into the hole 2 in the nail 1, ridges 13 engage notches 13a which are in a portion of the nail 1 around the hole 2.

In contrast to the present claimed invention, no part of the Lawes device can be considered a locking mechanism which includes a depressible male coupling element which engages a portion of a nail around a hole into which the device is inserted and cooperates with this portion to prevent rotational and longitudinal movement between the sleeve and the nail. Notches 13a, while they engage with the portion of the nail around the hole, do not prevent longitudinal movement between the sleeve and the nail. Shoulder 16 does not engage and cooperate with the portion of the nail around the hole, i.e., the interior surfaces of the nail which define the hole. Rather, shoulder 16 appears to contact a small portion of the side of the nail and has absolutely no contact with the interior surfaces in the nail around the hole.

In any event, shoulder 16 is incapable of preventing longitudinal movement between the sleeve and the nail because the sleeve can freely move longitudinally outward away from the nail. Thus, longitudinal movement between the sleeve and the nail is not prevented by the shoulder 16. This is a crucial difference which provides a practical advantage to the invention which cannot be achieved in Lawes.

Bramlet does not include a depressible male coupling elements on a sleeve as set forth in independent claims 1, 7, 26, 97, 114 and 124.

Since Lawes and Bramlet do not disclose a sleeve which comprises a locking mechanism including a depressible male coupling element which engages with a portion of the nail around a hole (the female coupling element) into which the sleeve is inserted, they cannot anticipate or render obvious the embodiments of the invention set forth in independent claims 1, 7, 26, 97, 114 or 124, or those set forth in dependent claims 2, 4-6, 8-10, 27, 83-95, 98, 99, 103-113, 115-123 and 125-133.

In view of the foregoing, it is respectfully submitted that the Examiner's rejections of the pending claims as being anticipated by or unpatentable over Lawes and/or Bramlet have been overcome and should be withdrawn.

ALLOWABLE SUBJECT MATTER/NEW CLAIMS

_____ The Examiner's indication of allowable subject matter in claims 104, 121 and 131 is gratefully appreciated. In view of this indication, new independent claims 137-139 are presented. Claim 137 constitutes allowable claim 104 rewritten in independent form, claim 138 constitutes allowable claim 121 rewritten in independent form and claim 139 constitutes allowable claim 131 rewritten in independent form.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,

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